

From: Thane Perkins
To: Microsoft ATR
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Subject: Microsoft Settlement

It think the settlement is a step in the right direction. However, I do not think it is a big enough step. I am not one in favor of splitting Microsoft up or fining MS tens of billions of dollars. However, there are some marketing practices that Microsoft is still employing and will continue to employ because they are successful. Unless Microsoft is additionally shackled in some way so that they stop doing these things, Microsoft will use the power and money that they got from their previous illegal business practices to continue to stifle competition and ultimately hurt innovation:

1) Microsoft does innovate and will occasionally surprise me. However, they often eye a successful idea and decide to develop a similar application. This is not bad in and of itself. But, instead of trying to do compete with improved functionality, Microsoft uses their huge cash reserves to worm their way into the market. If they are way behind the competition, they GIVE the new software AWAY -- either by integrating it into their operating system or doing special "deals" with OEMs so people get the software free or dirt cheap. So, even if the settlement stops Microsoft from making exclusionary deals with OEMs, Microsoft will out-price the competition.

2) Microsoft is a master of the VAPORWARE. They can really put a damper on the sales of a competing product simply by making a press announcement. I wish they would be restricted about the number of days prior to releasing a completely new product could Microsoft announce its development.

And finally, it is 2002 -- a long time since the original suit was brought and an eternity in terms of the High-Tech industry. Remember, this suit was brought because Microsoft had broken a previous agreement with the DOJ. So, what happens if Microsoft breaks this agreement? Will we have to wait nearly a decade for the next decision -- allowing Microsoft to do business as usual in the mean time?